

Federal Energy Regulatory Commission

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State	County	(Fee/acre/ YR)
Wisconsin	Oneida	62.78
Wisconsin	Outagamie	94.17
Wisconsin	Ozaukee	156.94
Wisconsin	Pepin	47.08
Wisconsin	Pierce	62.78
Wisconsin	Polk	62.78
Wisconsin	Portage	94.17
Wisconsin	Price	47.08
Wisconsin	Racine	156.94
Wisconsin	Richland	62.78
Wisconsin	Rock	94.17
Wisconsin	Rusk	62.78
Wisconsin	Sauk	94.17
Wisconsin	Sawyer	62.78
Wisconsin	Shawano	94.17
Wisconsin	Sheboygan	94.17
Wisconsin	St. Croix	94.17
Wisconsin	Taylor	47.08
Wisconsin	Trempealeau	47.08
Wisconsin	Vernon	47.08
Wisconsin	Vilas	94.17
Wisconsin	Walworth	156.94
Wisconsin	Washburn	47.08
Wisconsin	Washington	156.94
Wisconsin	Waukesha	156.94
Wisconsin	Waupaca	62.78
Wisconsin	Waushara	94.17
Wisconsin	Winnebago	94.17
Wisconsin	Wood	47.08
Wyoming	Albany	7.85
Wyoming	Big Horn	31.39
Wyoming	Campbell	7.85
Wyoming	Carbon	7.85
Wyoming	Converse	7.85
Wyoming	Crook	15.69
Wyoming	Fremont	7.85
Wyoming	Goshen	15.69
Wyoming	Hot Springs	7.85
Wyoming	Johnson	7.85
Wyoming	Laramie	7.85
Wyoming	Lincoln	31.39
Wyoming	Natrona	7.85
Wyoming	Niobrara	7.85
Wyoming	Park	31.39
Wyoming	Platte	15.69
Wyoming	Sheridan	15.69
Wyoming	Sublette	31.39
Wyoming	Sweetwater	7.85
Wyoming	Teton	94.17
Wyoming	Uinta	15.69
Wyoming	Washakie	15.69
Wyoming	Weston	7.85

* State-average Land and Building value used when no county-specific is available.

** Land areas to be determined.

[75 FR 44094, July 28, 2010; 75 FR 48553, Aug. 11, 2010]

PART 12—SAFETY OF WATER POWER PROJECTS AND PROJECT WORKS

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AUTHORITY: 16 U.S.C. 792-828c; 42 U.S.C. 7101-7352; E.O. 12009, 3 CFR 142 (1978).

SOURCE: Order 122, 46 FR 9036, Jan. 28, 1981, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 12 appear at 69 FR 32438, June 10, 2004.

Subpart A—General Provisions

§ 12.1 Applicability.

(a) Except as otherwise provided in this part or ordered by the Commission or its authorized representative, the provisions of this part apply to:

(1) Any project licensed under Part I of the Federal Power Act;

(2) Any unlicensed constructed project for which the Commission has

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determined that an application for license must be filed under Part I of the Act; and

(3) Any project exempted from licensing under Part I of the Federal Power Act, pursuant to subparts J or K of part 4 of this chapter, to the extent that the Commission has conditioned the exemption on compliance with any particular provisions of this part.

(b) The provisions of this part apply to a project that uses a Government dam only with respect to those project works, lands, and waters specifically licensed by the Commission.

§ 12.2 Rules of construction.

(a) If any term, condition, article, or other provision in a project license is similar to any provision of this part, the licensee must comply with the relevant provision of this part, unless the Commission or the Director of the Office of Energy Projects Licensing determines that compliance with the relevant provision of the license will better protect life, health, or property.

(b) A licensee may request from the Director of the Office of Energy Projects Licensing a ruling on the applicability to its actions of any provision of its license that is similar to a provision of this part. A ruling by the Director may be appealed under § 385.207 of this chapter.

[Order 122, 46 FR 9036, Jan. 28, 1981, as amended by Order 225, 47 FR 19056, May 3, 1982; 49 FR 29370, July 20, 1984]

§ 12.3 Definitions.

(a) *General rule.* For purposes of this part, terms defined in section 3 of the Federal Power Act, 16 U.S.C. 796, have the same meaning as they have under the Act.

(b) *Definitions.* The following definitions apply for the purposes of this part:

(1) *Applicant* means any person, state, or municipality that has applied for a license for an unlicensed, constructed project and any owner of an unlicensed, constructed project for which the Commission has determined that an application for license must be filed.

(2) *Owner* means any person, state, or municipality, or combination thereof, that has a real property interests in a

water power project sufficient to operate and maintain the project works.

(3) *Authorized Commission representative* means the Director of the Office of Energy Projects Licensing, the Director of the Division of Inspections, the Regional Engineer, or any other member of the Commission staff whom the Commission may specifically designate.

(4) *Condition affecting the safety of a project or project works* means any condition, event, or action at the project which might compromise the safety, stability, or integrity of any project work or the ability of any project work to function safely for its intended purposes, including navigation, water power development, or other beneficial public uses; or which might otherwise adversely affect life, health, or property. Conditions affecting the safety of a project or project works include, but are not limited to:

(i) Unscheduled rapid draw-down of impounded water;

(ii) Failure of any facility that controls the release or storage of impounded water, such as a gate or a valve;

(iii) Failure or unusual movement, subsidence, or settlement of any part of a project work;

(iv) Unusual concrete deterioration or cracking, including development of new cracks or the lengthening or widening of existing cracks;

(v) Piping, slides, or settlements of materials in any dam, abutment, dike, or embankment;

(vi) Significant slides or settlements of materials in areas adjacent to reservoirs;

(vii) Significant damage to slope protection;

(viii) Unusual instrumentation readings;

(ix) New seepage or leakage or significant gradual increase in pre-existing seepage or leakage;

(x) Sinkholes;

(xi) Significant instances of vandalism or sabotage;

(xii) Natural disasters, such as floods, earthquakes, or volcanic activity;

(xiii) Any other signs of instability of any project work.

(5) *Constructed project* means any project with an existing dam.